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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/045,664 | 01/15/2002 | Hiroki Takaoka | 725.1151 | 2270 |

21171 7590 11/07/2003

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EXAMINER

SUAREZ, FELIX E

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2857

DATE MAILED: 11/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/045,664

Applicant(s)

TAKAOKA ET AL.

Examiner

Felix E Suarez

Art Unit

2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 14-28 is/are rejected.
- 7) ☒ Claim(s) 12 and 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3, 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1-11 and 14-28 are rejected under 35 U.S.C. 102(e) as being anticipated over Barts et al. (U.S. Patent Application Publication No. 2002/0082893).

With respect to claims 1 and 23-28, Barts et al. (hereafter Barts) teaches a vehicle information providing apparatus (or system or a vehicle manufacturing or a computer program or a computer readable storage medium) comprising:

information acquisition function for accessing a storage device and acquiring information associated with progress status of a plurality of vehicles

before shipping, which information is stored in the storage device (see page 8 paragraph [0139]); and

information providing function for, via said information acquisition function to refer to the storage device by using an identification information as a key (see page 5 paragraph [0065]), acquiring information associated with progress status of a specific vehicle corresponding to the identification information (see page 28 paragraph [0524]), the identification information which is acquired from an information terminal that is connected via a communication line to allow two-way communications (see page 8 paragraph [0137]) and specifies a user of the information terminal or a vehicle (see page 11, paragraphs [0180] and [0181]), and for providing the acquired information to the information terminal from which the identification information was output (see page 13, paragraphs [0194]-[0210]).

With respect to claim 2 Barts further teaches that the information associated with progress status of the vehicle contains an image that represents situations in a plurality of stages until the specific vehicle is shipped (see page 28, paragraphs [0523]-[0533]).

With respect to claim 3 Barts further teaches that the information associated with progress status of the vehicle contains a photographed image of the specific vehicle under assembly in an assembly line of a vehicle

manufacturer (see page 28, paragraphs [0523]-[0533]; page 30 paragraph [0587] and FIG. 27).

With respect to claim 4 Barts further teaches that the information associated with progress status of the vehicle contains an image or coordinate position information which indicates a transportation route and/or a current position upon transportation of the specific vehicle which has undergone assembly in a vehicle manufacturer (see page 30, paragraphs [0603]-[0613]).

With respect to claim 5 Barts further teaches said information providing function provides the information associated with progress status of the vehicle to the information terminal, from which the identification information was output, in response to acquisition of the identification information or at a predetermined timing (see page 29, paragraphs [0554]-[566]).

With respect to claim 6 Barts further teaches that the information associated with progress status of the vehicle contains a scheduled assembly time of the specific vehicle in an assembly line of a vehicle manufacturer (see page 9 paragraph [0145], and

said information providing function informs a user, who waits for delivery of the specific vehicle, of the scheduled assembly time of the specific vehicle prior to that scheduled assembly time (see page 9 paragraph [0146]), and

provides a photographed image of the specific vehicle under assembly in the assembly line (see page 30, paragraphs [0585]-[0587] and FIG. 27) to the information terminal from which the identification information was output when the scheduled assembly time has been reached (see page 30, paragraphs [0603]-[0613]).

With respect to claim 7 Barts further teaches when said information acquisition function recognizes that the information associated with progress status of the plurality of vehicles, which information is stored in the storage device, has been updated by information associated with a change in shipping date, said information providing function specifies a specific vehicle, the shipping date of which has been changed, in accordance with the identification information, and informs an information terminal specified by the identification information of the change in shipping date of the specific vehicle (see page 29, paragraphs [0567]-[0571]).

With respect to claim 8 Barts further teaches said information providing function informs the information terminal of the user of the change in shipping date via an e-mail message to that information terminal (see page 9 paragraph [0146] and page 14, paragraphs [0238]-[0241]).

With respect to claim 9 Barts further teaches said information providing function provides information to only a user who has acquired the identification information to estimate or order the specific vehicle via the communication line (see page 9, paragraphs [0149]-[0154]).

With respect to claim 10 Barts further teaches that the communication line includes an Internet, and said information providing function. Provides information associated with progress status of the specific vehicle to the information terminal as a data file of a Web page described in a predetermined data format (see page 11 paragraph [0179] and page 13, paragraphs [0195]-[0197]).

With respect to claim 11 Barts further teaches that the information associated with progress status of the vehicle, which is acquired by said information acquisition function contains photographed images of at least all vehicles which are under assembly in the assembly line of the vehicle manufacturer and are customizable as the specific vehicle (see page 5 paragraph [0065] and page 9, paragraphs [0147]-[0148]).

With respect to claim 14 Barts further teaches that the information associated with the progress status of the vehicle contains time information upon

completion of assembly of the specific vehicle in the assembly line of the vehicle manufacturer (see page 12 paragraph [0186]).

With respect to claims 15 and 22, Barts further teaches that the information which contains an image of the specific vehicle and is associated with progress status of the vehicle contains names and/or photos of operators who participate in a plurality of stages until the specific vehicle is shipped (see page 14, paragraphs [0226]-[0240]).

With respect to claim 16 Barts further teaches comprising assembly schedule adjustment function for, when the specific vehicle is assembled in an assembly line of a vehicle manufacturer, adjusting a schedule of the assembly line or requesting an external device that manages the assembly line to adjust a schedule, so as to allow the user to participate in a predetermined assembly process a (see page 14, paragraphs [0241]-[0242] and page 15, paragraphs [0243]-[0244]), and

wherein said information providing function informs the user of a schedule that allows the user to participate in the predetermined assembly process as the adjustment result by said schedule adjustment function (see page 14 paragraph [0226]).

With respect to claims 17 and 20, Barts further teaches, when said schedule adjustment function has adjusted the schedule, said information providing function provides a man-machine interface, which allows the user to make the predetermined assembly process by remote control while observing a display image obtained by photographing a state of the assembly process, to the information terminal connected via the communication line to allow two-way communications (see page 18 paragraphs [0320]-[0321] and page 28 paragraph [0524]).

With respect to claim 18 Barts further teaches, when a special situation falling outside a plurality of predetermined stages until the specific vehicle is shipped has occurred, said information providing function provides information associated with the special situation to the information terminal (see page 18, paragraphs [0318] and [0320]).

With respect to claim 19 Barts further teaches said information providing function provides gathering situation of components required to build the specific vehicle to a vehicle manufacturer with the user being able to recognize the gathering status on a map displayed on the information terminal in nearly real time (see page 12 paragraph [0188]).

With respect to claim 21 Barts further teaches that the man-machine interface can adjust a photographing state of the selected photographing device by remote control from the information terminal (see page 34 paragraph [0716] and FIG. 44).

2. Claims 12 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Prior Art

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Atsmon et al. [U.S. Patent No 6,607,136] describes a system which allows users to easily interact with a merchant.

Ginter et al. [U.S. Patent No 6,363,488] describes a communication including electronic purchasing.


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix Suarez, whose telephone number is (703) 308-4926. The examiner can normally be reached on weekdays from 8:30 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc Hoff can be reached on (703) 308-1677. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7382 for regular communications and (703) 308-7382 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

October 31, 2003

F.S.


MARC S. HOFF
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800